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09/543,962	04/07/2000	James Shanahan	D/99458	2107

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EXAMINER

NGUYEN, MAIKHANH

ART UNIT PAPER NUMBER

2176

DATE MAILED: 07/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 09/543,962	Applicant(s) SHANAHAN ET AL.	
Examiner Maikhanh Nguyen	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 May 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-37 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-37 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 04 July 2000 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

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DETAILED ACTION

1. This action is responsive to communications: Amendment filed 05/09/2005 to the original application filed 04/07/2000.
2. Claims 1-37 are currently pending in this application. Claims 1, 19, and 28 have been amended. Claims 1, 19, and 28 are independent claims.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-37 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

4. Specification does not explicitly describe nor is sufficiently clear for one of ordinary skill in art to recognize the following step as recited in claims 1, 19, and 28 “**periodically polling** the meta-document for document service requests.”

Dependent claims 2-18, 20-27, and 29-37 are rejected for fully incorporating the deficiencies of their base claims.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Barrera et al.** (U.S. 6,567,800 – filed 03/2000) in view of **Doyle** (U.S. 6,510,432).

As to independent claim 19:

- a. Barrera teaches a method for acquiring information pertaining to a document, the document including content information (*see Fig.7*), comprising:
- (i) creating a meta-document (*Website content; Abstract*), comprising associating a set of document service requests (*Products and Service, Information Source, Technology Development, Competitive Information, etc.; see Fig7*) with the document (*Fig.7*), wherein a document service comprises a process for using a portion of the document's content information as a starting point to obtain other information from a service provider pertaining to the document's content information (*"Products*

and Service” category is used in Fig.7 as a starting point to obtain the information shown in Figs. 8-10);

(ii) autonomously acting and managing the document service requests without user intervention (*website content is automatically gathered and stored; col.4, lines 4-15*), comprising:

- selecting a document service request from the set (*selects the “Products and Services” category 702; col.5, lines 2-3*);
- initiating and managing communication with a service provider to satisfy the selected document service (*a dynamically generated web page ...tailored to response to the query; col.5, lines 11-16*);
and
- integrating any results from the selected document service request into the meta-document (*combine the best aspects of category searching and content searching of websites in a way that enables a user to more accurately and complete identify websites with content of interest to the user, especially in a large collection of websites; col.3, lines 45-50 /the results of the search are displayed to the user ... as a dynamically generated web page; col.5, lines 11-16 and Fig.10*).

b. Barrera teaches the meta-document for document service requests; however, does not specifically teach “periodically polling.”

- c. Doyle teaches periodically polling (*such gathering is provided by an automated process where searches on the web are periodically carried out to locate information on a user specified topic and that information retrieved and stored in a database so that the content is accessible independent of the status of the content on the web; col.4, lines 14-23 / col.7, lines 50-60 / col.8, line 54-col.9, line 3 & col.10, lines 64-67*).
- d. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to dependent claim 20:

Barrera teaches the set of document service requests is selected from a group of pre-packaged document service requests (*see Fig.7*).

As to dependent claim 21:

Barrera teaches the results from the selected document service include a new document service request associated with the document (*The results of this category-content search are sent to the user; col.4, lines 54-65 and Fig.6/ The results of the search are displayed to the user ... 'dynamically generated web page' means a web page that includes content specifically tailored to response to the user query; col.5, lines 11-16 and Fig.10/ combination of category and content search provided ... produces website search result; col.5, lines 60-65*).

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As to dependent claim 22:

Barrera teaches the document services are satisfied by a third party service provider via an Internet protocol (*col.2, lines 25-34; col.4, lines 4-15 and Fig.5*).

As to dependent claim 23:

- a. Barrera does not specifically teach “the scheduler updates the set of document service requests on a predetermined schedule.”
- b. Barrera teaches the scheduler updates the set of document service requests on a predetermined schedule (*col.7, lines 50-60*).
- c. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to dependent claim 24:

- a. Barrera does not specifically teach “the scheduler re-initiates selected document service request on a periodic basis.”
- b. Doyle teaches the scheduler re-initiates selected document service request on a periodic basis (*such gathering is provided by an automated process where searches on the web are periodically carried out to locate information on a user specified topic and that information retrieved and stored in a database so that the content is accessible independent of the status of the content on the web; col.4, lines 14-23*).

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- c. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to dependent claim 25:

- a. Barrera does not specifically teach “the periodic basis is determined by the selected document service request.”
- b. Doyle teaches the periodic basis is determined by the selected document service request (*the periodicity defines how often the search and archive agent will search the data source ... the periodicity may be hourly ...the topic is currently event, then the periodicity may be daily, weekly or even monthly; col.7, lines 50-60 & col.8, line 54-col.9, line 4*).
- c. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to dependent claim 26:

Barrera teaches the set of document service s follow a predetermined sequence of calls to service providers for extracting information from other documents, databases and data stores (*col.3, lines 60-67*) and for searching, for other information responsive to any

extracted information from the other documents, databases and data stores (*col.4, lines 54-65*).

As to dependent claim 27:

- a. Barrera teaches the pre-determined sequence of calls to service providers are satisfiable asynchronously.
- b. Doyle teaches the pre-determined sequence of calls to service providers are satisfiable asynchronously (*col.8, lines 1-22*).
- c. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to independent claim 1:

- a. It is directed to a system for performing the method of claim 19, and is similarly rejected under the same rationale. Additionally, claim 1 further recites “a scheduler”.
- b. Doyle teaches a scheduler (*the periodicity defines how often the search and archive agent will search the data source ... the periodicity may be hourly ...the topic is currently event, then the periodicity may be daily, weekly or even monthly; col.7, lines 50-60*).
- c. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera

because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to dependent claims 2-4:

They include the same limitations as in claims 20-22, and are similarly rejected under the same rationale.

As to dependent claims 5-7:

They include the same limitations as in claim 23-25, and are similarly rejected under the same rationale.

As to dependent claim 8:

- a. Barrera does not explicitly teach “the meta-document, the scheduler and the service providers reside at the same location.”
- b. Doyle teaches the meta-document, the scheduler and the service providers reside at the same location (*col.1, line 41- col.2, line 3 and col. 9, lines 50-60*).
- c. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to dependent claim 9:

- a. Barrera does not explicitly teach “the meta-document, the scheduler and the service providers reside at the same location.”

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- b. Doyle teaches the meta-document, the scheduler and the service providers reside at different locations (*col.4, lines 40-62 and col.14, lines 24-31*).
- c. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to dependent claims 10-11:

They include the same limitations as in claims 26-27, and are similarly rejected under the same rationale.

As to dependent claim 12:

Barrera teaches the document and the set of document service requests are user-selectable (*col.4, lines 54-65 and Fig.1*).

As to dependent claim 13:

- a. Barrera teaches a user may select a document service request from the set and initiate and manage communication with a service provider to satisfy the selected document service, but does not specifically teach “the scheduler”.
- b. Doyle teaches the scheduler (*the periodicity defines how often the search and archive agent will search the data source ... the periodicity may be hourly ... the topic is currently event, then the periodicity may be daily, weekly or even monthly; col.7, lines 50-60*).

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- c. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to dependent claim 14:

Barrera teaches a list of document service requests from which the set of document service requests may be selected by a user (*searching all of the content of the universe of websites initially; col.2, lines 56-67 and Fig.1*).

As to dependent claim 15:

Barrera teaches the service provider is user-selectable (*searching all of the content of the universe of websites initially; col.2, lines 56-67 and Fig.1*).

As to dependent claim 16:

Barrera teaches a service provider can register additional document services to the list (*Registered Sites List; Fig.7*).

As to dependent claim 17:

Barrera teaches a list of service providers available for satisfying document services (*col.4, lines 4-34*).

As to dependent claim 18:

Barrera teaches the set of document service requests associated with the document are associated using metadata (*col.5, lines 43-46*).

As to independent claim 28:

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- a. The rejection of independent claim 19 above is incorporated herein in full. Additionally, claim 28 further recites “a document including content information”.
- b. Barrera teaches a document including content information (*website content; col.4, lines 4-7*).

As to dependent claims 29-34, 35-36 and 37:

They include the same limitations as in claims 2-7, 10-11 and 18, and are similarly rejected under the same rationale.

Response to Arguments

7. Applicant’s arguments filed 05/09/2005 have been fully considered but they are not persuasive.
 - a. Applicant argues: “*Nothing in Barrera et al. teaches or suggests Applicant’s system as set forth in independent claims 19 or 28, as amended*” (*Remarks, page 9, 1st full para.*) and “*Nothing in Barrera et al. or Doyle, whether taken alone or in combination, teaches or suggests Applicant’s system as set forth in independent claim 1, as amended*” (*Remarks, page 10, last para.*).

In response, the rejection above shows how the combination of Barrera and Doyle meet the Applicant’s amended features.

 - b. Applicant argues: “*Neither Barrera, et al. nor Doyle teaches or suggest “associating a set of document service requests with the document ... and*

“integrating any results from the selected document service request into the document.” (Remarks, page 11, last para.)

In response, Barrera teaches associating a set of document service requests (e.g., Products and Service, Information Source, Technology Development, Competitive Information, etc.; see Fig7) with the document (see Fig.7). Barrera also teaches integrating any results from the selected document service request into the document (combine the best aspects of category searching and content searching of websites in a way that enables a user to more accurately and complete identify websites with content of interest to the user, especially in a large collection of websites; col.3, lines 45-50 & col.5, lines 11-16).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Reed et al. U.S. Patent No. 5,862,325 issued: Jan. 19, 1999

Narendran et al. U.S. Patent No. 6,070,191 issued: May 30, 2000

Reed et al. U.S. Patent No. 6,088,717 issued: Jul. 11, 2000

P. Ipeirotis et al., "Probe, Count, and Classify: Categorizing Hidden-Web Databases",
Proceedings of the 2001 ACM SIGMOD International Conference On Management of
Data, 2001, pp. 1-12.

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S. Chang et al., "Adlet: Active Document for Adaptive Information Integration", available on the Internet July 2001 at <http://www.cs.pitt.edu/~chang/365/adlet.html>, pp.1-20.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MN

William J. Bashore
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PRIMARY EXAMINER
7/19/2005